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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,546	08/11/2006	Laurent Girault	W51.12-0025	2102
27367 7590 02/08/2008 WESTMAN CHAMPLIN & KELLY, P.A. SUITE 1400 900 SECOND AVENUE SOUTH MINNEAPOLIS, MN 55402-3319			EXAMINER RIVERO, ALEJANDRO	
			ART UNIT 2618	PAPER NUMBER
			MAIL DATE 02/08/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/565,546	Applicant(s) GIRAULT ET AL.	
	Examiner Alejandro Rivero	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 January 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because in figure 2 the PC should be labeled "14" instead of "13" (see page 5 lines 16-21 of the written description). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claim 9 is objected to because of the following minor informalities:

Claim 9 recites the limitation "Data transfer device from and/or to a radiocommunication device" (line 1). The meaning of the phrase is not clear,

from reading the claim. The specification suggests that the relation between the data transfer device and the radiocommunication device is of data being transferred between them. The examiner respectfully suggests clarifying the aforementioned phrase to indicate the relation between the transfer device and the radiocommunication device other than being "from and/or to". For the purpose of this examination, the aforementioned phrase will be treated as reciting "Data transfer device for transferring data from and/or to a radiocommunication device", instead of the aforementioned phrase.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5 and 7-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Jokimies (EP 0 555 992 A1, cited by applicant in the IDS).

Consider claim 1, Jokimies discloses a method for connecting a radiocommunication device to a data transfer device comprising connecting said radiocommunication device via a housing for receiving and connecting a removable electronic card (column 1 lines 1-21, column 1 line 56- column 3 line 10, figure 1); and transferring data in a data transfer stage from said radiocommunication device to said transfer device (column 1 line 56- column 3

line 43 where Jokimies discloses receiving at a data adapter (data transfer device) short messages from the mobile telephone (radiocommunication device), hence the mobile telephone is in a stage of transferring data to the data adapter).

Consider claim 2, Jokimies discloses all the limitations as applied to claim 1 and also discloses extracting the removable electronic card (column 2 lines 12-51, column 3 lines 44-55, figure 1, where Jokimies discloses inserting the SIM card in a separate coupling within the data adapter in order to allow a normal mobile station function when a normal mobile function is required and the adapter is connected directly to the SIM interface in the mobile telephone, thus the SIM card has been extracted); inserting into said housing a connector with a connection format that includes at least one link point that is compatible with a link point equipped in said radiocommunication device for receiving said removable electronic card (column 1 lines 1-21, column 2 lines 25-51, column 3 lines 44-55, figure 1); transferring the data between said transfer device and said radiocommunication device (column 1 line 56- column 3 line 43).

Consider claim 3, Jokimies discloses all the limitations as applied to claim 1 and also discloses wherein the method allows two operating modes of said radiocommunication device; a first normal operating mode that requires the presence of said removable electronic card connected to the housing (column 1 lines 1- column 2 line 18, column 3 lines 44-55, where Jokimies discloses a simple service or normal mode requiring the SIM card to be connected to mobile telephone), and a second data transfer mode that requires a connector connected to the housing instead of said removable electronic card (column 1

lines 1-21, column 1 line 56- column 3 line 10, figure 1, where Jokimies discloses transferring data via an adapter connected to the mobile telephone).

Consider claim 4, Jokimies discloses all the limitations as applied to claim 3 and also discloses wherein said radiocommunication device goes into said second mode due to at least one of the following actions: reception by said radiocommunication device of a specific command, detection of the presence of a specific transfer connector and/or absence of the removable electronic card, and action on at least one key of said radiocommunication device (column 1 line 56- column 3 line 51, where Jokimies discloses removing a SIM card (inhibiting normal operation), inserting an adapter (allowing data transfer) and inputting (via keyboard on the mobile telephone) a data message to be transmitted).

Consider claim 5, Jokimies discloses all the limitations as applied to claim 1 and also discloses wherein the data transferred in the data transfer stage comprises at least one of the elements belonging to the group that comprises specific implementation programs for said radiocommunication device according to a predetermined application, program and/or parameter updates, configuration data of at least one program and data dedicated to at least one program (column 2 line 25- column 3 line 43, where Jokimies discloses bidirectional data adapter and transmitting data regarding a utility program).

Consider claim 12, Jokimies discloses all the limitations as applied to claim 1 and also discloses wherein the housing for receiving and connecting a removable electronic card is configured to receive and connect a removable electronic SIM card (column 1 line 56- column 3 line 51).

Consider claim 7, Jokimies discloses a radiocommunication device (mobile telephone) that can be connected to a data transfer device (data adapter) wherein the radiocommunication device comprises a removable electronic card connector (column 1 lines 1-21, column 1 line 56- column 3 line 10, figure 1) and communicates with said transfer device via the removable electronic card connector (column 1 line 56- column 3 line 43 where Jokimies discloses receiving at a data adapter short messages from the mobile telephone).

Consider claim 8, Jokimies discloses all the limitations as applied to claim 7 and also discloses further comprising changing modes between a first normal operating mode that requires the presence of a removable electronic card connected to the removable electronic card connector (column 1 lines 1- column 2 line 18, column 3 lines 44-55, where Jokimies discloses a simple service or normal mode requiring the SIM card to be connected to mobile telephone), and a second data transfer mode that requires a connector connected to the removable electronic card connector instead of said removable electronic card (column 1 lines 1-21, column 1 line 56- column 3 line 10, figure 1, where Jokimies discloses transferring data via an adapter connected to the mobile telephone).

Consider claim 13, Jokimies discloses all the limitations as applied to claim 7 and also discloses wherein the removable electronic card connector comprises a removable electronic SIM card connector (column 1 line 56- column 3 line 51).

Consider claim 9, Jokimies discloses a data transfer device for transferring data from and/or to a radiocommunication device wherein the data transfer

device communicates with said radiocommunication device via a connector for a removable electronic card (column 1 lines 1-21, column 1 line 56- column 3 line 43, figure 1, where Jokimies discloses receiving at a data adapter short messages from the mobile telephone).

Consider claim 14, Jokimies discloses all the limitations as applied to claim 9 and also discloses wherein the connector of the radiocommunications device is a removable electronic SIM card connector (column 1 line 56- column 3 line 51) and the data transfer device comprises a connector having contacts that match the removable electronic SIM card connector (column 1 lines 1-21, column 2 lines 25-51, column 3 lines 44-55, figure 1).

Consider claim 10, Jokimies discloses means for connecting a radiocommunication device (mobile telephone) with a transfer device (data adapter), wherein the means connects said transfer device to said radiocommunication device via a housing for a removable electronic card of said radiocommunication device (column 1 lines 1-21, column 1 line 56- column 3 line 43, figure 1, where Jokimies discloses receiving at a data adapter short messages from the mobile telephone, wherein the data adapter is connected via a housing for a SIM card).

Consider claim 11, Jokimies discloses all the limitations as applied to claim 10 and also discloses wherein the connection means comprise means for adapting between an SIM removable electronic card format and a predetermined format of said transfer device (column 3 line 11- column 4 line 22 where Jokimies discloses adopting a special protocol and using code in order to interface

between the SIM removable electronic card message format and the message format of the data adapter).

Consider claim 15, Jokimiès discloses all the limitations as applied to claim 10 and also discloses wherein the housing is a housing for a removable electronic SIM card (column 1 line 56- column 3 line 51) and the means for connecting comprises contacts configured for connecting to corresponding contacts of the housing (column 1 lines 1-21, column 2 lines 25-51, column 3 lines 44-55, figure 1).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Johansson et al. (US 5,418,837) disclose upgrading a mobile telephone using a module card.

Darnault et al. (US 6,484,024 B1) disclose programming a mobile telephone using a cargo chip card.

Lipsit (US 5,974,311) discloses programming a cellular telephone using a communications interface connected to a computer.

Phillips et al. (US 6,400,965 B1) disclose testing and updating a cellular phone memory.

Hofmann (US 6,311,241 B1) discloses transferring programs with a SIM interface plug-in card.

McClure (US 5,155,860) discloses programming a cellular portable telephone using a programmer interface unit that connects to the cellular portable telephone.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alejandro Rivero whose telephone number is 571-272-2839. The examiner can normally be reached on Monday-Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AR


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SUPERVISORY PATENT EXAMINER

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